IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 5TH MARCH 2007 / 14TH PHALGUNA 1928

Bail Appl..No. 971 of 2007()

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CR.NO.173/06 OF KUDIYANMALA POLICE STATION, KANNUR DT.

: PETITIONER/ACCUSED NO.4:

SIBI, S/O. SEBASTIAN,
AGED 37 YEARS, AGRICULTURIST, URUMBADAYIL HOUSE,
MANDALAM, NADUVIL AMSOM, DESOM,TALIPARAMBA TALUK,
KANNUR DISTRICT.

BY ADV. SRI.V.A.SATHEESH
SRI.V.T.MADHAVANUNNI
SRI.V.JOHN SEBASTIAN RALPH

RESPONDENT: COMPLAINANT:

STATION HOUSE OFFICER,
KUDIYANMALA POLICE STATION, KANNUR DISTRICT.
(CRIME NO.173/06 OF KUDIYANMALA POLICE STATION,
KANNUR DISTRICT), REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 05/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 971 OF 2007 B

Dated this the 5th day of March, 2007

O R D E R

In this Petition filed under Sec. 438 Cr.P.C. the petitioner, who is the 4th accused in Crime No.173/2006 of Kudiyanmala Police Station for offences punishable under Secs.323, 324, 326, 294(b) and 506(ii) read with section 34 I.P.C., seeks anticipatory bail.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the allegations levelled against the petitioner and the other circumstances of the case, I am inclined to grant anticipatory bail to the petitioner. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the petitioner on bail for a period of one month in the event of his arrest in connection with the above case on his executing a bond for Rs.10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction to the said officer and subject to the following conditions:

a. The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

b. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

c. Petitioner shall not commit any offence while on bail.

d. Petitioner shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

(V. RAMKUMAR, JUDGE)

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